IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 21318 of 2007(K)

PETITIONER:

K.U. ZEENATH BEEVI,
EDATHARA PUTHENVEEDU, VENGA P.O.,
SASTHAMKOTTA, KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. THE KERALA WOMEN'S DEVELOPMENT CORPORATION, K.V. TOWERS, PATTOM, THIRUVANANTHAPURAM, REPRESENTED BY ITS MANAGING DIRECTOR.

2. THE DEPUTY TAHSILDAR (R.R), TALUK OFFICE, KUNNATHOOR, KOLLAM.

R2 BY G.P.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.21318 of 2007

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Dated this the 11th day of July, 2007.

JUDGMENT

The petitioner is challenging recovery proceedings for recovery of arrears of loan availed by the petitioner from the first respondent. The amount shown as due under Ext.P3 RR notice is Rs.2,41,638/-. It is seen that exorbitant rate of interest of 18% is being charged from the petitioner. Further, vide Ext.P1 dated 22.3.2007 first respondent has offered OTS benefit to the petitioner by which petitioner is entitled to various incentives. The petitioner has produced Ext.P2 receipt to show that she has made part payment of Rs.7,000/- under OTS scheme. In the circumstances, I dispose of the W.P. with the following directions. The first respondent is directed to give a detailed statement of loan account to the petitioner showing advances made, debits on interest and other charges, credit given for remittance made by petitioner showing the corresponding dates for the petitioner to verify whether full payments are credited and whether interest charged is in accordance with the terms of the loan. Besides giving statement, first respondent is directed to give within ten days from production of copy of this judgment, the details of liability due after

granting incentives under OTS scheme referred to in Ext.P1 ignoring the timeframe for settlement under OTS scheme. The petitioner is granted time till 30.9.2007 to settle full liability exclusive of incentives under the OTS scheme and without requirement of remitting any collection charge. The petitioner will produce a copy of the proceeding issued by the first respondent pursuant to the above direction before the second respondent for second respondent to keep recovery proceedings in abeyance till 30.9.2007. If petitioner does not settle liability by 30.9.2007, then second respondent will proceed for recovery of the entire arrears with interest and collection charges. Recovery proceedings will be kept in abeyance for two weeks from now and after first respondent grants OTS benefit and petitioner produces communication, RR proceedings will be kept in abeyance till 30.9.2006 and thereafter RR will be either closed or proceeded with depending on whether petitioner settles liability or not.

C.N.RAMACHANDRAN NAIR
Judge

pms